

2. In August of 2009, I either directly or indirectly paid

principal or trustee of the other Plaintiffs.

1. I am a Plaintiff in the above-captioned action, and a

U.S.C. §1746, under penalties of perjury as follows:

I, Solomon Sharbat, hereby declare, pursuant to 28

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:
Defendants. :
:
MSB GROUP INCORPORATED, :
MARCUS S. BUTLER and :
:
-against- :
:
Plaintiffs, :
:
28 U.S.C. §1746 :
SOLOMON CAPITAL 401(K) TRUST, :
DECLARATION
SOLOMON SHARBAT, as Trustee of the :
SOLOMON CAPITAL 401(K) TRUST, :
10 CV 6455 (SAS)
SOLOMON CAPITAL, LLC, :
Case No. :
SOLOMON SHARBAT, :
:
-----X
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

from Defendants for \$200,000.00. Defendants never

purchase. I ultimately sold the shares I purchased

entities against loss associated with this securities

4. Defendants agreed to guarantee me and my business

expenditure.

reimbursed me or my business entities for this

Hartstein's \$60,000.00 fee. Defendants have never

reimburse me and my business entities for Mr.

was \$60,000.00, which I paid. Defendants agreed to

\$220,000.00. Mr. Hartstein's fee for his involvement

Moishe ("Michael") Hartstein in the amount of

obligations to Defendants, I secured financing from

3. In order to finance my and my business entities'

securities which I was able to sell for only \$200,000.

Trust. I and my business entities ultimately received

Solomon Capital, LLC and Solomon Capital 401(k)

securities on behalf of me and my business entities

Defendants \$600,000.00 for the purchase of certain

reimbursed me for the \$400,000.00 difference,

notwithstanding the fact that I demanded that they do

so.

5. I consummated the agreement to purchase the

\$600,000.00 worth of securities from my office in

New York, New York and Defendant Marcus Butler

contacted me many times at that New York, New

York address in order to discuss this series of

transactions.

6. Declarant declares under penalty of perjury under the

laws of the United States of America that the

foregoing is true and correct.

7. No prior application for the relief herein requested has

been heretofore made.

Dated: Tel Aviv, Israel
April 16, 2011

Solomon Sharbat

